

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

August 1, 2011 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 3:00 pm.

Commissioner Barber provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Ford seconded and the vote to approve the minutes of the July 5, 2011 and July 18, 2011 Commission Meetings passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

There were no additions to the agenda.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Ford moved, Commissioner Coltrain seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Coltrain moved approval of the Consent Agenda. The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. Acceptance of Edward Byrne Memorial Justice Assistance Grant Funds
- B. Authorization for Sheriff's Office to Apply for Bulletproof Vest Partnership Grant
- C. Accept Additional WIC Funds to Support Part-time Counselor for a Peer Counselor Breastfeeding Program
- D. Set Public Hearing for August 15, 2011 for FY 2012 Rural Operating Assistance Program
- E. Set Quasi-Judicial Hearing for August 15, 2011 for CUP 01-11

2. PUBLIC COMMENT PERIOD

Chairman Mitchell opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Chaplain Michael Taylor presented a New Testament Bible to Board of Commissioners from the Shield a Badge with Prayer Ministries.
- Larry Wright spoke regarding efforts to get annexation laws changed. Mr. Wright expressed appreciation for the County's legislative delegation, the Board, former Commissioners Tina Hall and Arnold Chamberlain and the Good Neighbors of Rowan County for their efforts to get the annexation laws changed. Mr. Wright also spoke against the Board of Education's recommendation for a new administration building.

With no one else wishing to address the Board, Chairman Mitchell closed the Public Comment Period.

3. PUBLIC HEARING FOR PROPOSED ROAD NAME OF INDIAN TRAIL

Senior Planner Shane Stewart reported that a road currently unnamed and located northeast off the 2500 block of West Innes Street was bordered by Salisbury's city limits while the residential structures were located within Rowan County.

Mr. Stewart said Staff contacted the City of Salisbury giving them the opportunity to name the road; however, the City relinquished the responsibility to the County.

Mr. Stewart said the property owners were notified of the intent to name the road and given the option of submitting a petition. A petition was received with 3 of 4 signatures in support of the name Indian Trail. Staff found the name acceptable and recommended approval.

County Manager Gary Page reported that he had received the fourth signature the previous week.

Chairman Mitchell opened the public hearing to entertain citizen input regarding the proposed road name of Indian Trail.

- Liz Hood objected to the street name change for several reasons. Ms. Hood stated she had lived in the same house since 1971. Ms. Hood said everyone living on her street lived on fixed incomes and it would be costly for them to notify others of address changes. Ms. Hood said she had encountered no problems with police, ambulance, fire personnel, etc. locating her residence. Ms. Hood also stated that her husband had a studio separate from the house and she asked if the studio would be numbered differently from the house.
- Walter Hood was in attendance; however, he asked his wife to read his prepared comments. Mr. Hood's comments pertained to the fact that he had resided in the same house for 40 years and he found it difficult to understand why the road name must change. Mr. Hood favored and recommended the road name of Cedar Lane.

With no one else wishing to address the Board, Chairman Mitchell closed the public hearing.

Commissioner Sides questioned Mr. Page regarding the fourth signature and Mr. Page said Whitey Harwood had signed last week in support of the proposed road name of Indian Trail.

Ms. Hood confirmed to Chairman Mitchell that she and Mr. Hood signed the petition to ask for a potential renaming of the road to one of the three (3) possibilities listed: Indian Trail, Cedar Lane, or North Port Drive. Ms. Hood stated the reason for their signing the petition was her husband wanted the name of Cedar Lane.

Chairman Mitchell asked Ms. Hood if she was the petition leader. Ms. Hood verified she became the petition leader when she could not find Mr. Harwood at home and she went to see the President of Catawba College.

Chairman Mitchell said Indian Trail was listed as the first choice for the road naming. Ms. Wood responded that Judy Crabtree had pushed for the name of Indian Trail while her husband, Walter Wood, had pushed for Cedar Lane.

After further discussion, Commissioner Sides moved to postpone a decision and to ask Staff to check as to whether the proposed road name of Cedar Lane was acceptable for 911 purposes and to ask Staff to contact the others who had signed the petition to see if they would accept the proposed road name of Cedar

Lane. The motion was seconded by Commissioner Barber and passed unanimously.

4. CONSIDER APPROVAL OF RESOLUTION TO NAME PORTION OF NC HWY 601 IN MEMORY OF CONGRESSMAN EARL B. RUTH

County Manager Gary Page said the Board had received a request from Mac Butner and the Earl B. Ruth Family to consider the designation of approximately five (5) miles of Highway 601 in northwest Rowan County in memory of Mr. Ruth. Mr. Page said there was a resolution in the Board's agenda packet, which highlighted the accomplishments of Mr. Ruth, as well as a map that indicated the stretch of highway to be included in the requested designation. Mr. Page said additional letters of support had been emailed to the Board from various elected officials.

Mr. Page said members of the Ruth family and Mr. Butner were in attendance to demonstrate their support for the request and to answer any questions the Board might have.

Commissioner Sides said there had been overwhelming support and emails for the request. Commissioner Sides then moved approval of the Resolution. The motion was seconded by Commissioner Ford.

Chairman Mitchell opened the floor to receive comments from any individuals wishing to provide input concerning the request. No citizens came forward to address the Board.

Upon being put to a vote, the motion on the floor passed unanimously.

Chairman Mitchell read the Resolution as follows:

WHEREAS, the Rowan County Board of Commissioners finds it would be fitting and proper to honor the memory of U.S. Representative Earl Baker Ruth, who was born in Rowan County and served as a member and later mayor pro tempore of the Salisbury City Council; *and* **WHEREAS**, Earl Baker Ruth is remembered as an educator, coach, and Dean of Students at Catawba College; *and*

WHEREAS, the Rowan County Board of Commissioners wishes to memorialize Earl Baker Ruth for his outstanding career as a Congressman and Governor of American Samoa, his dedicated service to his country, the State of North Carolina, and to the citizens of Rowan County.

NOW, THEREFORE, BE IT RESOLVED that in memory of Earl Baker Ruth, the Rowan County Board of Commissioners does hereby request and recommend to the North Carolina Department of Transportation that the 5.15 mile length of US Highway 601 from the Davie County line to the intersection with Jake Alexander Boulevard where the road becomes West Innes Street be named the:

CONGRESSMAN EARL B. RUTH MEMORIAL HIGHWAY

BE IT FURTHER RESOLVED that upon said designation, the North Carolina Department of Transportation is requested to have appropriate signage erected to make the general public aware of said dedication.

Chairman Mitchell called a member from the Ruth Family forward for presentation of the Resolution. The presentation was followed by a round of applause.

5. DESIGNATION OF VOTING DELEGATE AT NCACC 2011 ANNUAL CONFERENCE

Chairman Mitchell said the Board needed to select a voting delegate for the North Carolina Association of County Commissioners 2011 Annual Conference to be held in Cabarrus County on August 18-21, 2011.

Commissioner Sides volunteered to serve as the County's voting delegate.

Commissioner Coltrain moved, Commissioner Barber seconded and the vote to support Commissioner Sides as the voting delegate at the 2011 Annual Conference passed unanimously.

Commissioner Sides encouraged board members to contact him regarding any particular areas of concern or interest.

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Health – Increased funding for WIC for Breastfeeding Peer Counselor Program for FY 2011-12 - \$27,918
- Library – LSTA EZ Basic Equipment Grant to provide computers for teen areas. Grant is a reimbursement grant with a 25% match. The match is within the library's current budget and no additional county funds are required - \$11,079
- Finance – Revise revenues and expenditures for Library based on revised Smart Start Grant for the Stores to Go and Books to Grow programs - \$110,787
- Therapeutic Recreation – Recognize funds and move to expenditure account - \$2,950
- Finance – Budget the NC Parks and Recreation Trust Fund Grant to pay for 50% of improvements to Ellis Park - \$8,353
- Finance – Budget the reimbursement agreement with Immigration and Customs Enforcement to pay for deputies overtime - \$30,000

Commissioner Coltrain moved approval of the budget amendments as presented. The motion was seconded by Commissioner Ford and passed unanimously.

7. CONSIDER APPROVAL OF BOARD APPOINTMENTS JUVENILE CRIME PREVENTION COUNCIL

There are four (4) vacancies and the following applications were received:

- Kimberly Boling – representing an at large appointment
- David Alan Lambert – representing an at large appointment
- Linda Beaty – representing the Faith Community Appointee

The term was for two (2) years beginning August 1, 2011 and expiring July 31, 2013.

Commissioner Barber nominated Kimberly Boling, David Alan Lambert and Linda Beaty and the nominations passed unanimously.

TOURISM AND DEVELOPMENT AUTHORITY (TDA)

There is one (1) vacancy and the following application was received for consideration for reappointment as the Hotel Accommodations representative:

- Dave Redden

The term is for two (2) years beginning on September 1, 2011 and expiring August 31, 2013.

Commissioner Coltrain nominated Dave Redden.

Commissioner Ford said he could not support Mr. Redden due to his being a resident of Yadkin County and not Rowan County.

Commissioner Sides moved to postpone the appointment and request specifically that a Rowan County resident apply. The motion was seconded by Commissioner Ford.

Commissioner Coltrain said the TDA had exhausted the involvement of the current people in the hotel industry. Commissioner Coltrain mentioned a new hotel that was currently being built and said there might be a possibility to bring in additional people.

Commissioner Sides agreed that it might be possible with the new hotel being built, to find an applicant there.

Upon being put to a vote, the motion on the floor passed 4-1 with Commissioner Coltrain dissenting.

ROWAN COUNTY THERAPEUTIC RECREATION BOARD

There is one (1) vacancy and the following application was received:

- Jacob Pace

The term is for three (3) years beginning August 1, 2011 and expiring July 31, 2014.

Commissioner Ford nominated Jacob Pace and the nomination carried unanimously.

ENOCHVILLE VFD FIRE COMMISSIONERS

There are three (3) vacancies. The following application was received:

- Lois McCorkle

The term was for two (2) years beginning September 1, 2011 and expiring August 31, 2013.

The following applications were received for consideration for reappointment:

- John Sims
- Lisa Joines

In order to be considered, the Board would need to waive the term limits set forth in the Resolution adopted in September 2009.

The terms would be for two (2) years beginning September 1, 2011 and expiring August 31, 2013.

Commissioner Sides moved, Commissioner Barber seconded and the vote to waive the term limits carried unanimously.

Commissioner Sides nominated Lois McCorkle for appointment and John Sims and Lisa Joines for reappointment. The nomination passed unanimously.

UNION VFD FIRE COMMISSION

There are three (3) vacancies and the following applications were received:

- Randy Cauble
- Tom Waller
- Steve Schenk

The terms would be for two (2) years beginning July 1, 2011 and expiring June 30, 2013.

Commissioner Sides nominated Randy Cauble, Tom Waller and Steve Schenk and the nominations carried unanimously.

ATWELL VFD FIRE COMMISSION

There is one (1) vacancy and the following applications were received:

- Scott Hardwick
- James Burr

The term would be for two (2) years beginning July 1, 2011 and expiring June 30, 2013.

Commissioner Ford nominated Scott Hardwick.

Commissioner Coltrain nominated James Burr.

Upon being put to a vote the nomination for Scott Hardwick passed 4-1 with Commissioner Coltrain dissenting.

Chairman Mitchell called for a recess at 3:29 pm.

Chairman Mitchell reconvened the meeting at 4:07 pm.

8. QUASI-JUDICIAL PUBLIC HEARING FOR CUP 02-10

At the request of the parties involved in CUP 02-10, the minutes for this public hearing were prepared verbatim by a Court Reporter and will be approved by the Board of Commissioners and kept in a separate minute book.

(Please note that the quasi-judicial public hearing was recessed on August 1, 2011 and continued on August 2, 2011 at 2:00 pm and again on August 3, 2011 at 5:00 pm).

Discussion Regarding August 15, 2011 Commission Meeting

Chairman Mitchell said the Board might wish to consider changing the start time of the meeting regularly scheduled for August 15, 2011 due to the potential volume of materials to be presented.

Commissioner Barber moved to start the August 15, 2011 Commission Meeting at 4:00 pm. The motion was seconded by Commissioner Ford and passed unanimously.

9. ADJOURNMENT ON AUGUST 3, 2011

There being no further business to come before the Board, Commissioner Sides moved to adjourn at 7:01 pm on August 3, 2011. The motion was seconded by Commissioner Ford and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/Assistant to the County Manager